

EXHIBIT 9

CHART OF OPT-IN TESTIMONY

Delivery Ranges		
Opt-In Name	Testimony	Citation to Deposition Tr.
Alvarado Luis Aicardi	The average number of miles traveled per run would be about 15 miles.	Aicardi Tr. at 103:6-18.
Rodney Lewis Fields	He would drive at least 50 miles round trip for each trip away from the store (<i>i.e.</i> , a “run”).	Fields Tr. at 59:2-8.
Brian Foran	His delivery runs were “anywhere from 15 to 20” miles one way and that they would take “thirty to 45 minutes.”	Foran Tr. at 59:9-17.
Travis Grafitti	Testified he would travel 20 miles roundtrip.	Grafitti Tr. at 77:12-15.
Wilson Macias	Testified that his store’s location in Texas meant that some deliveries were “close,” but some were “more spread out,” and the mileage could vary from 1-2 miles up to 7-8 miles.	Macias Tr. at 77:12-25.
Pilar Sanchez	Testified that his standard delivery run would be around 30 miles round trip.	Sanchez Tr. at 49:13-20.
Joseph Stevens	Testified that his store had a 25-mile delivery radius and that his runs could take anywhere from “as little as ten to 15 minutes,” and “up to half an hour, 45 minutes, depending on traffic.”	Stevens Tr. at 56:20-57:4.
Michael Thomason	Testified that some of his deliveries could be up to 20 miles away from his store.	Thomason Tr. at 46:23-47:3.
Christaline West	Testified that her deliveries could be between 7 and 14 miles one way.	West Tr. at 47:24-48:3.

Mulugeta Woube	Testified that her deliveries could be 15 to 20 miles per run.	Woube Tr. at 96:16-20.
----------------	--	------------------------

Miles Per Delivery		
Name	Testimony	Citation to Deposition Tr.
Carl Brown	Testified that in “Downtown Kansas City, Missouri,” his typical delivery radius would be “as close as a block to 2-1/2 miles away,” and that the store would not deliver to locations that are farther away than 2.5 miles.	Brown Tr. at 52:14-21, 53:14-17.
Bret Johnson	Testified that “[s]ometimes you’d have a delivery two blocks away, sometimes you would have one four miles away,” which was due to his store’s unique location in Central Denver.	Johnson Tr. at 81:5-12.
Latricia Roberts	Testified that her runs were between two and a half and, at the absolute most, 9.6 miles away.	Roberts Tr. at 52:13-53:2, 118:1-13.
Daniel Timm	Testified that delivery was up to 5 to 6 miles one way, but averaging 6-miles and 7-miles round trip.	Timm Tr. at 51:1-8.
Henry Kisielewicz	Testified that a delivery could be “as little as, I’d say, 2 miles up to maybe 10, 12 miles” for a one-way trip, but that he could drive as little as six miles total in an entire week.	Kisielewicz Tr. at 60:1-4, 61:3-11, 62:8-63:2.

Ki Hang Law	Testified that “on a slowest day it would be about 20 miles per shift, a super busy day up to 70 to 80 miles.”	Law Tr. at 45:20-46:3.
Patricia McKelvy	Testified that she would drive “usually a hundred miles a day,” or more, and that her mileage per run “could be anywhere from three miles to thirty.”	McKelvy Tr. at 53:10-17, 68:12-19.
Joseph Stevens	Testified that he could drive between 100 to 200 miles per shift, and between 500 and 1,000 miles per week.	Stevens Tr. at 60:7-13.
Robert Wehby	Testified that he could drive between 50 to 100 miles per shift.	Wehby Tr. at 75:24-76:7.

Use of Vehicle for Personal Reasons		
Opt-In Name	Testimony	Citation to Deposition Tr.
Ricardo Adams	Testified that he used car for commuting to other job at yoga studio.	Adams Tr. at 70:11-19.
Craig Allen	Testified “Well, yes. Go to grocery store and pretty much just really -- yeah, that's personal, need to go to the grocery store or go to the park. That's mainly personal use. And go to work.”	Allen Tr. at 78:5-15.
Carl Brown	Testified that he used car to drive long distance to Iowa approximately 12 times per year.	Brown Tr. at 65:14-22.
Pam Cunningham	Testified that she used car to “go to the store, go to work,	Cunningham Tr. at 82:12-23.

	pick my kid up from school. That's -- just regular things.”	
Thomas Hagen	Testified that he used car for “going to work and back and going to the store.”	Hagen Tr. at 65:18-22.
Bret Johnson	Testified that he used car for personal errands.	Johnson, B. Tr. at 49:5-14.
Jared Michael Johnson	Testified that he used car to “go to the store and run other errands,” and “to visit friends or do other social activities.”	Johnson, J. Tr. at 44:24-45:12.
Wilson Macias	Testified that he used car to “Go to the store, drop off my son at the school, pick him up. I would go to work, I would -- let me see what else, doctor appointments, etcetera.”	Macias Tr. at 45:4-18.
Edward F. Nuncio	Testified that he used car for household errands and long distance trips.	Nuncio Tr. at 24:18-25:6.
Latricia Roberts	Testified that she used car for a road trip vacation to Mississippi.	Roberts Tr. at 74:3-10.
Pilar Sanchez	Testified to using car for going back and forth to work and the store.	Sanchez Tr. at 36:1-10.
Ahmed Saraji	Testified to using car for personal errands.	Saraji Tr. at 57:8-17.
Tori Ditizio	Testified to using car for commuting to other job and going to school.	Ditizio Tr. at 39:11-40:1.
Travis Grafitti	Testified that he used car to go to schools, skiing in the mountains, and other personal reasons.	Grafitti Tr. at 92:9-24.

Robert L. Wray	Testified to using car “Just personal business, grocery shopping, going out to dinner, occasional vacation.”	Wray Tr. at 72:10-13.
----------------	--	-----------------------

Amount of Personal Use Relative to Papa John’s Use		
Opt-In Name	Testimony	Citation to Deposition Tr.
Henry Kisielwicz	Testified that he used his car to make deliveries for Papa John’s only 25% of the time and for personal reasons, 75% of the time (three times more).	Kisielwicz Tr. at 71:13-18.
Edward F. Nuncio	Testified that he used car sixty percent of the time on personal use.	Nuncio Tr. at 24:18-25:6.
Noah Steinberg	Testified that “It was probably somewhere like around 75 for my main job and 25 for Papa John's, percent.”	Steinberg Tr. at 53:4-13.
Daniel Timm	Testified that “For the 2 or 3 weeks of December of 2017 that I used the Expedition for both work at Topgolf and work at Papa John's, it was about a 50/50 split because I worked a lot right there at the beginning.”	Timm Tr. at 58:21-24.
Leonard Williams	Testified that it was a 50/50 split.	Williams, L. Tr. at 96:6-8.
Saint DJ Wilson	Testified that it was “On a percentage. During that time most of my life was work. So that would -- work takes up -- took up a good 60, 70 percent	Wilson Tr. at 39:18-40:5.

	of my time. So maybe 30, 40 personal.”	
William Chihota	Testified that use of car was “Maybe 20 percent for personal errands and 80 percent for Papa John's.”	Chihota Tr. at 39:8-40:12.
Brian Foran	Testified that his use of car was “one fourth personal.”	Foran Tr. at 26:1-11.
Thomas Hagen	Testified that “I would say I used it for deliveries about 50 percent of the time.”	Hagen Tr. at 66:10-14.
Ashley King	Testified to using car for “80 percent work.”	King Tr. at 87:17-22.
Matthew Langdon	Testified to using car “80, 85 percent of the time for deliveries.”	Langdon Tr. at 41:6-8.
Andrew Zuckerberg	Testified to using car “Probably about 25 percent of the time.”	Zuckerberg Tr. at 24:18-25:2.
Noah Steinberg	Testified about use of car that “It was probably somewhere like around 75 for my main job and 25 for Papa John's, percent.”	Steinberg Tr. at 53:4-13.

Shared Vehicle		
Opt-In Name	Testimony	Citation to Deposition Tr.
Rodney Lewis Fields	Testified that his wife and son also used the car he used to make deliveries.	Fields Tr. at 63:2-8.
Jared Michael Johnson	Testified that his parents also used the car he used to make deliveries for Papa John's to “get to work” and “to go to	Johnson, J. Tr. at 44:24-45:12.

	the store and run other errands.”	
Edward F. Nuncio	Testified that his son used car once a week to see friends, go shopping, and once to go camping in another state.	Nuncio Tr. at 26:8-20.
Wilson Macias	Testified that “[i]t was my wife’s and I’s car,” which his wife used to run personal errands.	Macias Tr. at 35:1-6, 45:10-14.
Saint DJ Wilson	Testified that he shared his car with his wife, who was also using that car to make deliveries for PJI during the same time period as the Opt-In. She also used that car for personal reasons as well.	Wilson Tr. at 64:7-22 and at 46:15-25.